**THE HON'BLE SRI JUSTICE S.ANANDA REDDY**

W.V.M.P.Nos.876 of 2006 & 1604 of 2007

and

Writ Petition No.10693 of 2006

24.09.2007

Writ Petition No.10693 of 2006

Between

Sakhineti Subba Laxmi

…Petitioner

And

The Government of Andhra Pradesh, rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and others.

…Respondents

**THE HON'BLE SRI JUSTICE S.ANANDA REDDY**

W.V.M.P.Nos.876 of 2006 & 1604 of 2007

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Writ Petition No.10693 of 2006

**COMMON ORDER:**

It is stated that the respondents are proposing to acquire the land of the petitioner to an extent of Acs.10.00, of Bommaraspet Village and Gram Panchayat, Shameerpet Mandal, Ranga Reddy District, for formation of Outer Ring Road.

The grievance of the petitioner is that instead of acquiring the Government land in Survey No.45 adjacent to the petitioner's land which would not only relieve the

petitioner from hardship, but also saves the State exchequer, the respondents are illegally proposing to acquire the land of the petitioner. It is also the grievance of the petitioner that the alignment of the Outer Ring Road has been changed in order to benefit big farmers and big people. Hence, the petitioner sought to set aside the proposed acquisition.

In response to the notice served on the respondents, the respondents filed a counter affidavit along with a petition to vacate the interim order granted by this Court on 25.04.2007.

It is stated in the counter affidavit that notification under Section 4(1) of the Act was published on 21.04.2005, thereafter notice under Section 5-A of the Act was issued on 02.05.2005, apart from publishing the same on 03.05.2005 in the locality, pursuant to which, no objections have been filed before the Land Acquisition Officer and declaration under Section 6 of the Act was published on 20.04.2007 and thereafter notices were issued under Sections 9(1), 9(3) and 9(10) of the Act for award enquiry as well as taking possession of the lands. However, the present writ petition is filed even before issuing declaration under Section 6 of the Act.

In the counter affidavit, it is stated that only Acs.1.15 guntas of land is available in Survey No.45 which is not

suitable for the purpose of laying the ring road, since as per the alignment, the road is not passing through Survey No.45. It is also stated that for the purpose of formation of Outer Ring Road Phase-II, the Government proposed to acquire Acs.92.94 guntas of land in Bommaraspet Village covering a distance of 2,600 mts., owned by 102 farmers, out of whom, only three families filed the writ petitions questioning the proceedings under the Act and stalling the proceedings. Therefore, the respondents have come up with an application seeking to vacate the interim order passed by this Court.

Heard both sides and considered the material on record.

The learned counsel for the petitioner at the time of hearing reiterated the contentions that are raised in the affidavit with reference to two objections as to availability of alternative Government land as well as change of alignment. But, both the objections are denied in the counter affidavit. In the counter affidavit, it is categorically stated that no Government land is available in Survey No.45, except land to an extent of Acs.1.15 guntas, which is not suitable for laying the Outer Ring Road and there is no change of alignment within the limits of Bommaraspet and the allegations of change of alignment to accommodate big people is also categorically denied.

There are no other objections or grounds raised by the petitioner. Hence, there are no merits warranting interference with the land acquisition proceedings.

Accordingly, the interim order granted on 25.04.2007 is vacated and consequently, the writ petition is dismissed as devoid of merit. No costs.

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24.09.2007

VGB